

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY PAUL JOHNSON,

Defendant.

CASE NO. 06-380M

DETENTION ORDER

Offense charged:

Felon in Possession of Firearm

Date of Detention Hearing: 07/26/06

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) Defendant has a lengthy criminal record, including at least nine felony convictions and thirty misdemeanor convictions. The charges in this case are predicated upon various felony convictions during the period 1987-1993. These include VUCSA violations, and an attempt to elude a law enforcement vehicle. The pretrial services report indicates there have been convictions since that time, including a VUCSA conviction in 1999, possession of controlled substance in 2004, and at least two violations of probation since his 2004 conviction.
- (2) When he was arrested on the charges in this case, defendant attempted to run from the officers. As well as possessing a loaded handgun, he also had a small quantity of crack cocaine in his fist.
- (3) Defendant admits he is a daily user of crack cocaine, and has been a user for six months.
- (4) Defendant possessed crack cocaine at the time of a recent appearance in King County Superior Court.
- (5) The record presents a clearly established pattern of law violations of many kinds, and persistent drug abuse, over an extended period of time. Defendant is therefore a danger to the community and presents a risk of non-appearance.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

- 1 (3) On order of a court of the United States or on request of an attorney for the
2 Government, the person in charge of the corrections facility in which defendant is
3 confined shall deliver the defendant to a United States Marshal for the purpose of an
4 appearance in connection with a court proceeding; and
- 5 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel
6 for the defendant, to the United States Marshal, and to the United States Pretrial
7 Services Officer.

8 DATED this 26th day of July, 2006.

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11 John L. Weinberg
12 United States Magistrate Judge
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